

TUG HILL COMMISSION

MINUTES OF MEETING

October 21, 2024

Town of Martinsburg Municipal Building, 5405 Cemetery Rd, Martinsburg, NY 13404

Chairman Bogdanowicz opened the meeting at 10:04 a.m.

Opened

Commission members included Messrs. Bogdanowicz, Keller, Boxberger, Scriber, and Mdms. Cheresnoski and Ritter. Staff included Katie Malinowski, Gwen Decker, Angie Kimball. Guest –Lee Willbanks, commission attorney.

Attendance

On a motion made by Commissioner Boxberger and seconded by Commissioner Yerdon members approved the agenda as presented.

Agenda Approved

On a motion made by Commissioner Cheresnoski and seconded by Commissioner Boxberger, members approved the minutes of July 15, 2024.

Minutes Approved

Chairman's report followed.

Chairman's Report

Chairman Bogdanowicz welcomed everyone and thanked the town of Martinsburg for hosting the meeting. In July a nominations committee was formed with commissioners Keller, Scriber and Ritter for the 2025-26 term for chair, vice chair and secretary.

Welcome

Commissioner Ritter reported that she had spoken with commissioners Bogdanowicz, Yerdon and Boxberger, who at the time agreed to serve in the same positions for another two-year term, which would mean a slate as follows: Chair – Jan Bogdanowicz, Vice Chair – Mike Yerdon, Secretary – Tom Boxberger

Commissioner Bogdanowicz then stated that after reflection, he was not willing to serve as chairman for the 2025-2026 term. Having served for 10 years in the position makes him the longest serving chair, which is 20% of the commission's existence. He would welcome if another had interest in serving as chair. Nominations will remain open until the December meeting.

(The following correction was made – Commissioner Bogdanowicz – from he is willing to serve as chairman to he is not willing to serve as chairman).

Executive Director's report followed.

ED Report

Ms. Malinowski reported we received a budget letter requesting state agencies submit a flat funding request, which we submitted last Thursday.

Administration

The annual dinner was well attended. The keynote speaker was good. It was an interesting twist incorporating it with the two-day NYSACC conference, overall, it went well.

Municipal Management Consultant - Heidi Tompkins' start date is November 7. There will be an overlap with Paul Baxter while she transitions into the position. Mr. Baxter has not given the exact date of his retirement. Mrs. Malinowski and Mr. Johnson are meeting biweekly with Mr. Baxter via Zoom, helping him work through the retirement process.

Planner- Paperwork is in progress for Maria Covey, with a start date of December 5 expected. She is currently working for DASNY (Dormitory Authority of the State of New York). She is from our area and looking to come back home.

Planner/Local Government Specialist – The process is complicated to hire due to all our 15 FTEs being filled until Mr. Baxter retires. We can't bring on another staff member until that time. Mrs. Malinowski has been in discussions with DOS to have a "shadow position" that would allow us to temporarily have 16 on staff for a limited time until Mr. Baxter has retired. We have a good candidate for the position, he has previous military background and would like to come back to this area. She suggested the possibly for him as an associate circuit rider to get through to April. Commissioner Scriber suggested doing a contract with him with a memorandum that he goes on staff after Mr. Baxter's retirement.

Contractors - Mr. Petrie has provided training to Oswego County mayors and CTHC over the last few months. Mr. Street will be working with Williamstown within the next few months.

We have been approached by a highway superintendent interested in contracting with the commission to provide help to other communities regarding highway processes. The person is serving in an elected position, which could cause an appearance of impropriety if not an actual legal conflict of interest. Mrs. Malinowski has discussed this with Mr. Willbanks. A discussion with members took place and they felt it was controversial for the commission and best to pass on the offer.

We have a contract from Turning Stone for the conference from Monday, March 31 to Tuesday, April 1. We are waiting for final approval from OSC. The date straddles two fiscal years and we have talked to budget about this. It is the best date we could do with Turning Stone. Mrs. Malinowski doesn't anticipate a problem with budget. Monday, March 31 would be half day and Tuesday, April 1 a full day. Staff are working on sessions. Mrs. Malinowski asked members to let her know if they have ideas for topics.

LGC

Mrs. Malinowski and Mrs. Kimball agreed to present at the AOT conference in NYC in February. We have quick reference cards that are being printed.

Mr. Halpin compiled a summary of results (handout) from our strategic planning at the staff retreat in August. A work group including Mrs. Malinowski, Mr. Johnson, Mrs. Harvill, Mrs. Kimball, Mr. Gabriel Yerdon, and Mr. Barboza, had their first meeting to begin working on it. Mrs. Malinowski asked if the board is interested in forming a subcommittee or sit in on the work group. We are aiming for adoption in January 2025. Commissioner Scriber would like to be involved after December 31. Commissioner Bogdanowicz suggested looking at what success we've had over the last five years and celebrate the successes.

Strategic Planning

The planning department is extremely busy. Comprehensive plans that have been updated include Constantia and Parish. Camden held their first public hearing. Rodman has a first draft. Goals meetings are in process with Denmark, Copenhagen, Castorland, Wilna, Carthage, and Deferiet. Boonville is starting with support from LaBella. Ava will hold a SWOT meeting in November.

Planning

Adopted zoning includes - Amboy, Florence, Lewis, Osceola, Redfield, Watertown, and Vienna. In progress zoning includes Constableville, Constantia, Martinsburg, Turin, village of Lowville, Watertown, and Western. There are also several communities beginning work on zoning laws for the first time.

The commission has been working with the town of Lorraine on minimum maintenance road issues. Mrs. Malinowski reached out to Mark Gebo for assistance in working through the process for the town. He suggested contacting Ken Ayers due to professional constraints he is currently under. Mr. Ayers and an associate met with Mrs. Malinowski, Mr. Johnson, Mrs. Kimball, Mrs. Harvill and Ms. McKinney at the commission office on October 11. On Friday, October 18, Mr. Ayers provided Mrs. Malinowski with an overview (handout) of the meeting, possible issues with the process as it stands for any town, and the process

Roads

involved for NYS Highway Law 205(c) implementation and a draft contract agreement (handout) between the commission and Ayers Law Firm.

A discussion regarding the contract took place with members. Commissioner Scriber felt there should be one flat fee. Commissioner Bogdanowicz felt members should take some time to review the contract before acting on it. He feels that the board was fast to act on the updated Consolidated Policy, Procedures and Principles at the July 15 meeting, with the idea that, if necessary, it could be amended later. After taking time to review the appendices, he feels the principles are vague about what the commission will and won't do.

Commissioner Bogdanowicz felt that the scope needs to be clear and that the town of Lorraine needs to be taken out of the contract. Mr. Willbanks can assist in adjusting the wording.

Mrs. Malinowski shared that the commission staff needs legal advice on the best way to guide towns on many road related issues, and that board approval to sign the contract will be needed before executing. Commissioner Scriber asked if there was money in the budget to cover it. Mrs. Malinowski shared that funds for implementing the database upgrade will be much less than what was allocated. Mr. Willbanks suggested moving the database line to the legal amount. The fee is up to members to decide.

Commissioner Bogdanowicz stated that he feels Lorraine should be removed from the retainer agreement as that due to the nature of Tug Hill Commission's business as well as references in our 1986 bylaws and 1998 enabling legislation, it is clear that we do not act as an agent for a municipality in possible litigation. He felt the retainer agreement looked more like a third-party payment of legal fees agreement. He felt that this document would present ethical and practical concerns.

Continuing ATV issues and laws are a concern in communities. We are pulling data from multiple sources to create a draft regional ATV map, to help inform our pending revision of the ATV issue paper.

ATVs

Mrs. Kimball reported on road issues -West Turin – individual plowing town roads; Martinsburg, Rodman Montague classification change request. Zoning laws- Constableville near completion, Williamstown starting first law, Port Leyden starting in winter.

COG Report

Mini comprehensive plans – currently working with Constableville, with Port Leyden next followed by Lyons Falls, and not sure what to do with the T/V of Adams as they haven't approved the foundation documents. Martinsburg, Leyden, Lorraine and the village of Turin have full comp plans so they don't need to approve mini comp plans.

Leyden and Worth are looking to build new town halls; Lewis County did solar overlay for zoning and are working on implementing it, and are working on the new websites for municipalities. DEC's Advanced Clean Truck (ACT) bill for zero emissions and the waiver that DEC recently issued for municipalities for 2025 and 2026. South Jeff Rescue Squad to come up with a way to increase funding so they can go to partially paid staff. The towns are against a suggested taxing district.

The Cooperative Zoning Board of Appeals is growing, and is splitting into two boards and will have an east and west. Changes in municipalities due to resignations from people moving, health issues etc. Discussion with an SU student regarding infrastructure and public transportation issues in Oswego County and effects on people in poverty. CTHC's 50th anniversary dinner was well attended.

The 2024-25 financial statement (handout) shows we are on track. The database technical assistance is not going to be as much as allocated.

Finance Report

Commissioner Bogdanowicz opened the floor for public comment. No comment was made.

Public Comment

There being no further business, on a motion made by Commissioner Boxberger and seconded by Commissioner Keller members adjourned the meeting at 11:50 a.m.

Adjourn

These minutes were approved by the Board of Commissioners.

Tom Boxberger
Secretary